

Message

---

**From:** Brahmbhatt, Roshni (she/her) [brahmbhatt.Roshni@epa.gov]  
**Sent:** 6/10/2022 3:15:22 PM  
**To:** Lindberg, Jeff@ARB [Jeff.Lindberg@arb.ca.gov]  
**CC:** Andrews, Thomas@ARB [thomas.andrews@arb.ca.gov]; Chan, Janice [Chan.Janice@epa.gov]; Mooy, Cori@ARB [Cori.Mooy@arb.ca.gov]; Mehl, Dave@ARB [David.Mehl@arb.ca.gov]; Courtney@ARB Graham [courtney.graham@arb.ca.gov]  
**Subject:** Re: Discussion with EPA R9 and Kim Konte

Thanks. Do any of the following dates or times work for you?

- Monday 6/13 9am-10am, 11-12pm, or 1:30pm-2:30pm
- Wednesday 6/15 2:30-3:30pm
- Thursday 6/16 10:30-11am or 1:30-2:30pm
- Friday 6/17 9-9:30am

Sincerely,  
Roshni

**Roshni Brahmbhatt** | Pronouns: she/her  
Manager, Air Enforcement Section  
Region 9 Enforcement and Compliance Assurance Division  
U.S. Environmental Protection Agency  
Email: [Brahmbhatt.Roshni@EPA.gov](mailto:Brahmbhatt.Roshni@EPA.gov)  
Work Phone: 415-972-3995  
Cell Phone: 415-697-5673

NOTICE: This message may contain deliberative, attorney-client, attorney work product, or otherwise privileged material. Do not release this message under FOIA without appropriate review. If you are not the intended recipient, please advise the sender immediately by reply e-mail and delete this message and any attachments from your machine and all storage media whether in electronic or hard copy. Thank you.

On Jun 9, 2022, at 2:00 PM, Lindberg, Jeff@ARB <Jeff.Lindberg@arb.ca.gov> wrote:

Hi Roshni - Can we push this to Monday? Cori Mooy on my team is going to be doing a bunch of work related to this facility, and I want to make sure that she benefits from hearing the conversation. She's off on Fridays.

-Jeff

---

**Jeff Lindberg, Manager**  
District Support Section  
CARB-Enforcement  
(He/Him)

Cell: 916.621.8576  
VOIP: 279.208.7625  
[Jeff.Lindberg@arb.ca.gov](mailto:Jeff.Lindberg@arb.ca.gov)

CONFIDENTIALITY NOTICE: This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

---

**From:** Brahmbhatt, Roshni (she/her) <brahmbhatt.Roshni@epa.gov>  
**Sent:** Thursday, June 9, 2022 12:20 PM  
**To:** Lindberg, Jeff@ARB <Jeff.Lindberg@arb.ca.gov>; Andrews, Thomas@ARB <thomas.andrews@arb.ca.gov>  
**Cc:** Chan, Janice <Chan.Janice@epa.gov>  
**Subject:** FW: Discussion with EPA R9 and Kim Konte

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Jeff and Thomas,

Do you have time either tomorrow or next week to discuss how best to proceed?

Thanks,  
Roshni

**Roshni Brahmbhatt** | Pronouns: she/her  
Manager, Air Enforcement Office (ENF 2-1)  
Enforcement and Compliance Assurance Division  
U.S. Environmental Protection Agency, Region 9  
Email: [Brahmbhatt.Roshni@EPA.gov](mailto:Brahmbhatt.Roshni@EPA.gov)  
Work Phone: 415-972-3995  
Cell Phone: 415-697-5673

NOTICE: This message may contain deliberative, attorney-client, attorney work product, or otherwise privileged material. Do not release this message under FOIA without appropriate review. If you are not the intended recipient, please advise the sender immediately by reply e-mail and delete this message and any attachments from your machine and all storage media whether in electronic or hard copy.  
Thank you.

---

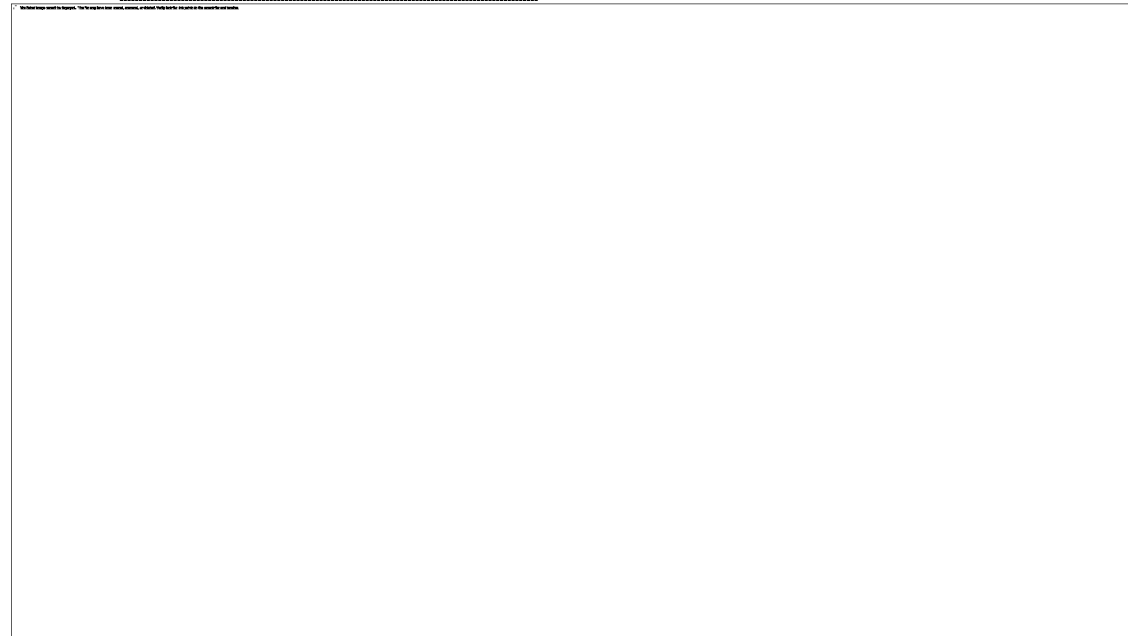
**From:** Kim Konte <Ex. 6 Personal Privacy (PP)>  
**Sent:** Wednesday, June 8, 2022 3:27 PM  
**To:** Brahmbhatt, Roshni (she/her) <brahmbhatt.Roshni@epa.gov>  
**Cc:** Chan, Janice <Chan.Janice@epa.gov>; Dennis Lo <Ex. 6 Personal Privacy (PP)>; Gill, Sonam <Gill.Sonam@epa.gov>; Gillam, Laura Haynes (EPW) <Laura\_Gillam@epw.senate.gov>; Swig, Sarah (Padilla) <Sarah\_Swig@padilla.senate.gov>; Kevin Lien <Ex. 6 Personal Privacy (PP)>; Rios, Gerardo (he/him) <Rios.Gerardo@epa.gov>; thomas.andrews@arb.ca.gov; David.Mehl@arb.ca.gov; Thinh Luu <Ex. 6 Personal Privacy (PP)>; Graham, Courtney@ARB <courtney.graham@arb.ca.gov>; Admin of Stop Toxic Asphalt Pollutants in Irvine <Ex. 6 Personal Privacy (PP)>  
**Subject:** Re: Discussion with EPA R9 and Kim Konte

Hi Roshni & Team,

Thank you all for taking the time to meet with us last week! Per Lesley's email, we understand that the EPA and CARB are working diligently on the All American Asphalt (AAA) issue and that investigation is still in progress. In the meantime can you please issue AAA and SCAQMD a violation/penalty for just that (late with their applications), while the agencies continue to dig deeper into other areas of permit and Title V program enforcement breakdowns? We have receptors(homes) only 2,000 ft from this plant that continues to operate with impunity 24 hours a day, 7 days per week! We need swift action concerning this ongoing Asian environmental racism public health crisis impacting thousands of families!

As you and CARB confirmed AAA is operating out of compliance with the Clean Air Act and we are trying to understand what is the point of the Clean Air Act if it's not enforced. Especially in a timely matter. AAA and SCAQMD both should be monetarily penalized. SCAQMD is responsible for allowing this dramatic increase of HAPs with receptors only 2,000 ft away! Someone needs to be held accountable for this epic failure in public trust and for exposing thousand of residents to unregulated and known HAPs.

Please find proof that SCAQMD falsified information concerning the permit AAA tried to pass off as a valid permit to operate Ramsay Oil's mobile crumb rubber blending system: <https://vimeo.com/646280296>



**The mobile permit was improperly evaluated for a New Fixed Permit and thus the NOE is Invalid. The first permit for mobile asphalt production was issued to Ramsey Oil, located in Corona, Permit to Operate Analysis ("POA"), August 26, 2021, and the source test report has not been made public.**

Ramsey Oil is not All American Asphalt. However South Coast AQMD, All American Asphalt is treated as if it was Ramsey Oil.

California, as a various locations permit (#F57256) for asphalt production in 2002. This permit allowed the operator to locate anywhere in the South Coast AQMD jurisdiction and operate according to certain conditions including the following: (1) the operator could not operate beyond 12 months at any one location, and (2) the District was to be informed in writing within five days of all-new operational locations. South Coast AQMD Permit # F57256. This kind of permitted mobile unit is typically used for road construction or in housing development but is not designed to be a fixed unit at a permanent asphalt facility.

Since 2015, AAA has experienced dramatic increases in its Volatile Organic Compound ("VOC") emissions. Prior All American Asphalt disclosures on South Coast AQMD's FIND from 2006 through 2016 identified VOC emissions of 3-4 tons per year ("TPY.")

South Coast AQMDs F.I.N.D. identifies the Corona facility with ID # 122876 and lists permits for both AAA and Ramsey Oil, implying they are one and the same; however, based on filings with the Secretary of State, Ramsey Oil is not A.A.A. The District failed to include in this NOV several other violations including:

- Failure to appropriately notify the South Coast AQMD on the movement of the mobile unit (as per its permit condition; F57256 condition 5)
- Failure to submit a timely Title V application (as per Rule 3001).
- AAAs reported 2016 emissions erroneously represented the last low VOC emissions year, and ironically it is this year that is used by AAA for its AB 2588 emissions and risk evaluation to South Coast AQMD. See Air Toxics Emissions Inventory Report Reporting Year 2016, March 31, 2021, South Coast AQMD has confirmed that before the attention was brought to this issue by local residents in 2019, AAA significantly underreported the metals and benzene emissions in 2016. See <https://www.aqmd.gov/home/news-events/community-investigations/AAA-ab2588>.

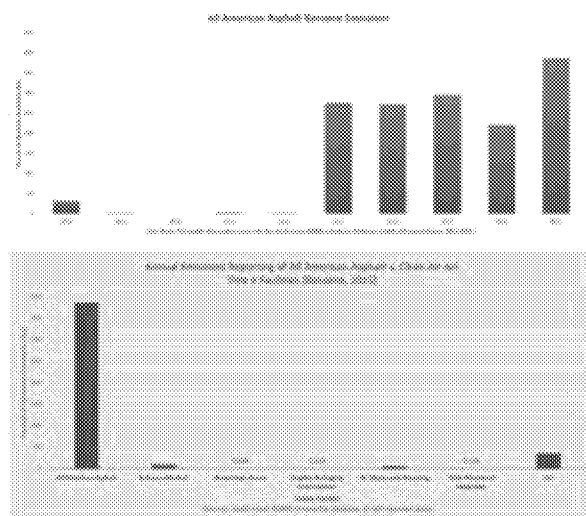
#### SCAQMD's Failed Enforcement & Permitting

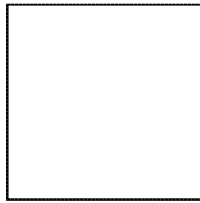
South Coast AQMD has approved the revised Air Toxics Inventory Report (ATIR) for the All American Asphalt facility in Irvine (AAA) on December 7, 2021, with minor corrections. The facility was required to submit a Health Risk Assessment (HRA) based on the approved ATIR, which was submitted on February 1, 2022. Following a review, South Coast AQMD rejected the HRA on February 23, 2022, because it did not meet the general guidelines and did not include the correct emissions information. AAA will have 90 days to correct the deficiencies and resubmit the HRA, 38 days past the 90-day extension deadline that SCAQMD perpetually gives AAA.

SCAQMD's failure to be years late in implementing the Title V program when it was AAA's 2016 VOCs that exceeded the threshold of the Clean Air Act 10 ton threshold with 10,253 tons and in 2019 with 11,88 tons.

SCAQMD needs to be held accountable for failing to notify AAA in a timely matter and for failing to give AAA an NOV for AAA's Clean Air Act and Title V non-compliance. AAA's continued failure to be compliant should effectively render all permits invalid that have been awarded to AAA outside of the Clean Air Act.

#### Consequence To Our Community As A Result Of SCAQMD's Failed Enforcement





Kim Konte

NON TOXIC NEIGHBORHOODS | OUR WORK

IG: @nontoxicneighborhoods | FB: nontoxicneighborhoods | M: Ex. 6 Personal Privacy (PP)

Non-Toxic Neighborhoods(TM) operates through a fiscal sponsorship with Players Philanthropy Fund, a Maryland charitable trust recognized by the IRS as a tax-exempt public charity under Section 501(c)(3) of the Internal Revenue Code (Federal Tax ID: 27-6601178). Contributions to Non-Toxic Neighborhoods(TM) are tax-deductible to the fullest extent of the law.

On Wed, Jun 1, 2022 at 5:32 PM Admin of Stop Toxic Asphalt Pollutants in Irvine

Ex. 6 Personal Privacy (PP) wrote:

Hi Roshni,

Thank you very much for taking the time to meet with us today.

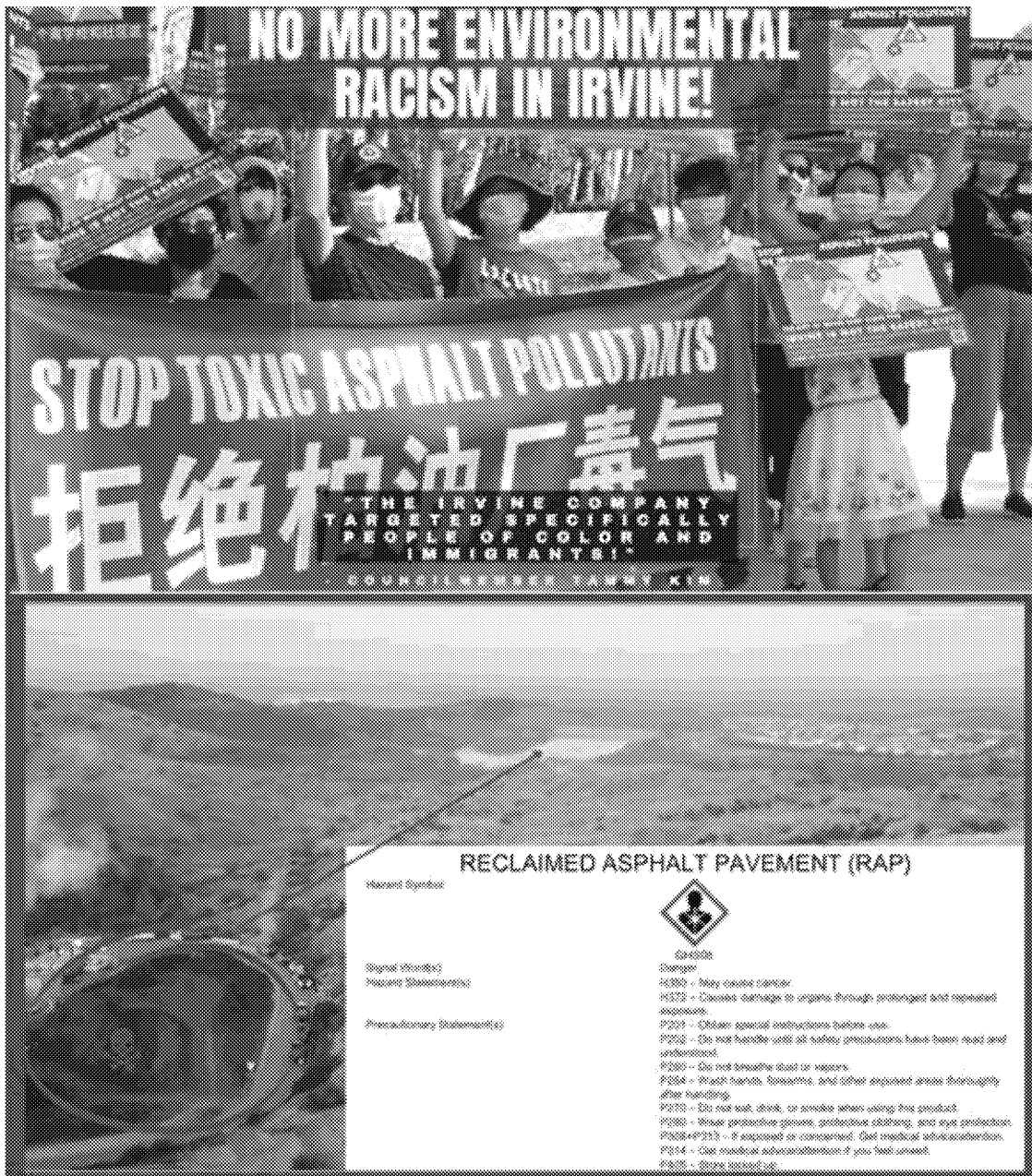
We understand that the EPA and CARB are working diligently on the All American Asphalt (AAA) issue and that investigation is still in progress. At this point though, since both the EPA and CARB are well aware of the fact that AAA has been a couple years late with their application for the Title V permit and also the AB2588 program, why is it not possible to first issue them a violation/penalty for just that (late with their applications), while the agencies continue to dig deeper into other areas of concerns and issues? Is there a benefit of waiting for everything to get sorted out all at once?

We truly appreciate your patience with us!

Best Regards,  
Lesley Tan.

On Wed, Jun 1, 2022 at 1:55 PM Kim Konte Ex. 6 Personal Privacy (PP) wrote:

Take-Two - On the first try the file size was too large.



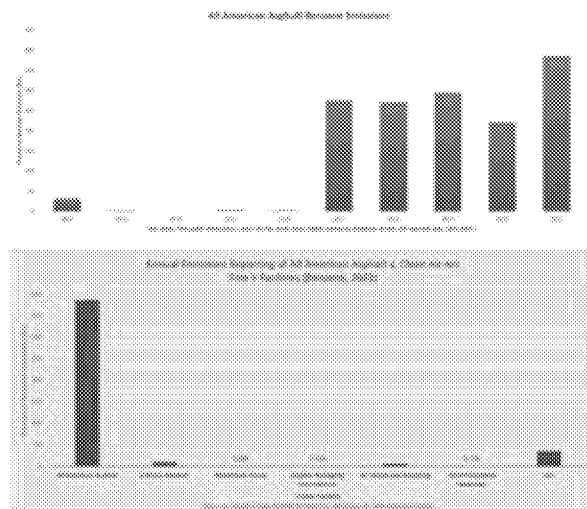
## SCAQMD's Failed Enforcement & Permitting

South Coast AQMD has approved the revised Air Toxics Inventory Report (ATIR) for the Air American Asphalt Facility in Irvine (AAA) on December 1, 2021, with minor corrections. The facility was required to submit a Health Risk Assessment (HRA) based on the approved ATIR, which was submitted on February 1, 2022. Following a review, South Coast AQMD rejected the HRA on February 23, 2022, because it did not meet the general guidelines and did not include the correct emissions information. AAA will have 60 days to correct the deficiencies and resubmit the HRA. 56 days past the 60-day extension deadline that SCAQMD perpetually gives AAA.

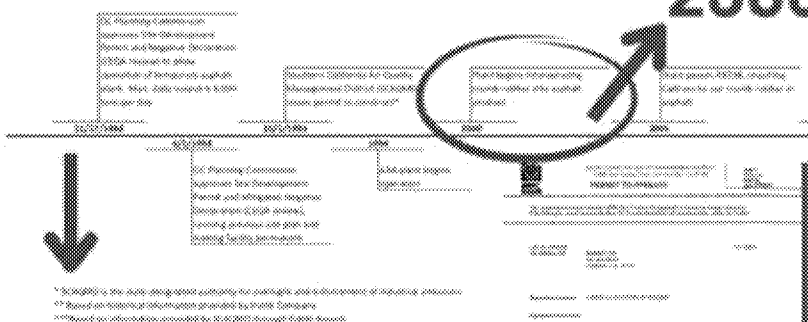
SCAQMD's failure to be years late in implementing the Title V program when it was AAA's 2005 VOCs that exceeded the threshold of the Clean Air Act 10-ton threshold with 10,263 tons and in 2018 with 11.05 tons.

SCAQMD needs to be held accountable for failing to notify AAA in a timely matter and for failing to give AAA an NOV for AAA's Clean Air Act and Title V non-compliance. AAA's continued failure to be compliant should effectively render all permits invalid that have been awarded to AAA outside of the Clean Air Act.

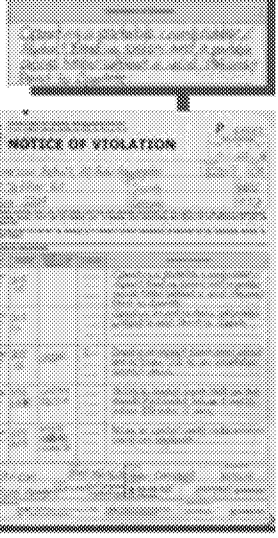
## Consequence To Our Community As A Result Of SCAQMD's Failed Enforcement



# All American Asphalt Notable Dates

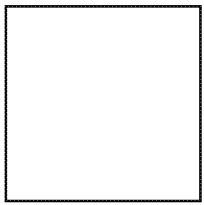
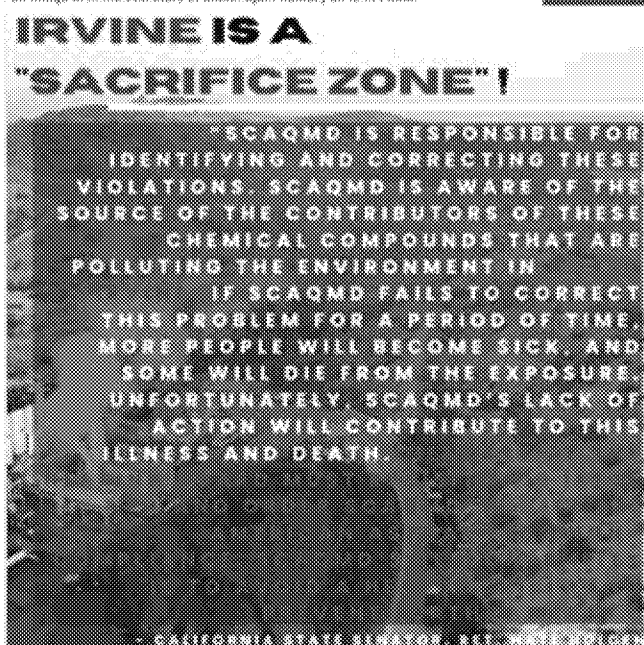


2000



SCAQMD has identified documents that are highlighted in this short video - <https://www.youtube.com/watch?v=846282296>

We have documentation and video proving that SCAQMD falsified the mobile blending permit for the chunk rubber blending system! The first permit for mobile asphalt production was issued to Ramsey Oil, located in Corona, not All American Asphalt. Ramsey Oil (RAMSEY OIL COMPANY, INC. (911298881)) is not All American Asphalt (ALL AMERICAN ASPHALT (9106678)). Ramsey Oil Company, Inc. is a licensed and bonded freight shipping and trucking company running a freight hauling business from Corona, California. SCAQMD's F.A.N.D. the tool identifies the Corona facility with ID # 122878 and also permits for both AAA and Ramsey Oil, implying they are one and the same; however, based on filings with the Secretary of State, again Ramsey Oil is not AAA.



Kim Konte  
 NON TOXIC NEIGHBORHOODS | OUR WORK  
 IG: @nontoxicneighborhoods | FB: nontoxicneighborhoods | M Ex. 6 Personal Privacy (PP)

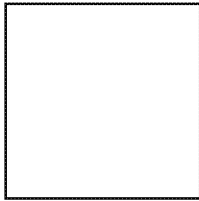
Non-Toxic Neighborhoods(TM) operates through a fiscal sponsorship with Players Philanthropy Fund, a Maryland charitable trust recognized by IRS as a tax-exempt public charity under Section 501(c)(3) of the Internal Revenue Code (Federal Tax ID: 27-6601178). Contributions to Non-Toxic Neighborhoods(TM) are tax-deductible to the fullest extent of the law.

On Wed, Jun 1, 2022 at 1:42 PM Kim Konte <[kim@nontoxicneighborhoods.org](mailto:kim@nontoxicneighborhoods.org)> wrote:

Hi Roshni,

The NHS students put a few slides together for our meeting today. Please find them attached below.

In Gratitude,



Kim Konte

[NON TOXIC NEIGHBORHOODS | OUR WORK](#)

IG: [@nontoxicneighborhoods](#) | FB: [nontoxicneighborhoods](#) | M Ex. 6 Personal Privacy (PP)

Non-Toxic Neighborhoods(TM) operates through a fiscal sponsorship with Players Philanthropy Fund, a Maryland charitable trust recognized by the IRS as a tax-exempt public charity under Section 501(c)(3) of the Internal Revenue Code (Federal Tax ID: 27-6601178). Contributions to Non-Toxic Neighborhoods(TM) are tax-deductible to the fullest extent of the law.

On Wed, Mar 9, 2022 at 9:23 AM Gill, Sonam <[Gill.Sonam@epa.gov](mailto:Gill.Sonam@epa.gov)> wrote:

---

## Microsoft Teams meeting

### Join on your computer or mobile app

[Click here to join the meeting](#)

### Join with a video conferencing device

[sip:teams@video.epa.gov](tel:sip:teams@video.epa.gov)

Video Conference ID Ex. 6 Personal Privacy (PP)

[Alternate VTC instructions](#)

### Or call in (audio only)

Ex. 6 Personal Privacy (PP) United States, San Diego



Phone Conference ID: Ex. 6 Personal Privacy (PP)

[Find a local number](#) | [Reset PIN](#)

For all EPA meetings, there is no expectation of privacy regarding any communications. Participation in a recorded meeting will be deemed as consent to be recorded. Information on EPA systems is the property of the Agency and may become official records.

[Learn More](#) | [Meeting options](#)

---